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January 14, 2025

BY HAND DELIVERY & CM/ECF

The Honorable Leonard P. Stark
United States District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 North King Street
Wilmington, DE 19801-3570

Re: *Crystallex International Corp. v. Bolivarian Republic of Venezuela*,
D. Del. C.A. No. 1:17-mc-00151-LPS

Dear Judge Stark:

Pursuant to the Court's December 31, 2024, *Memorandum Order Regarding Sale Process and Litigation* (D.I. 1517) (the "**December 31 Order**"), I write to submit this joint status report (this "**Joint Status Report**") on behalf of Special Master Robert B. Pincus (the "**Special Master**") in the above-referenced matter.

Consistent with the Court's December 31 Order, the Special Master met and conferred with the Sale Process Parties¹ and the Additional Judgment Creditors regarding: (a) the proposed Bidder Protections to be made available to any Stalking Horse approved by the Court; (b) the material terms of a Stock Purchase Agreement ("**SPA**"), including which terms are non-negotiable and which are strongly favored; and (c) Evaluation Criteria for Stalking Horse Bids, Base Bids, and Successful Bids. *See* December 31 Order, ¶ 3. Having considered the positions of the Sale Process Parties and the Additional Judgment Creditors, the Special Master submits his proposals for the Bidder Protections, the material terms of the SPA, and the Evaluation Criteria, which are reflected in the attached Exhibits A–C, respectively. *See id.*

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the *Sixth Revised Proposed Order (A) Establishing Sale and Bidding Procedures, (B) Approving Special Master's Report and Recommendation Regarding Proposed Sale Procedures Order, (C) Affirming Retention of Evercore as Investment Banker by Special Master and (D) Regarding Related Matters* (D.I. 481) (the "**Sale Procedures Order**") or the Court's November 20, 2024 Order (D.I. 1433) (the "**Inclinations Order**").

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For the avoidance of doubt, a Sale Process Party and/or Additional Judgment Creditor may have differing positions with regard to certain of the Special Master's proposals. To the extent a Sale Process Party or Additional Judgment Creditor holds a position different from that of the Special Master, that position has not been included in this Joint Status Report and should be raised in an objection in accordance with the schedule established by the Court in its December 31 Order. *See id.*, ¶ 4.

Respectfully submitted,

/s/ Myron T. Steele

Myron T. Steele

On Behalf of Robert B. Pincus, Special Master for
the United States District Court for the District of
Delaware

MTS:rms/11984948

Enclosure

cc: Clerk of Court (via hand delivery)
Counsel of Record (via CM/ECF)